

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. **Applicant/Contact name and address:**

Indian Springs Ranch Water & Sewer LLC
PO Box 226
Eureka, MT 59917-0226

2. **Type of action:** Application to Change an Existing Non-irrigation Water Right No. 76D 30149012

3. **Water source name:** Groundwater

4. **Location affected by project:** The proposed multiple domestic place of use is the SESW Sec 25 and E2NW, SWNE, S2NWNE, S2SENE, E2NESW, NWNWSE of Sec 36, T37N, R27W Lincoln County. The proposed commercial place of use is the SWSWNE, S2SENW, SESW, W2SWSE of Sec 36, T37N, R27W Lincoln County.

5. **Narrative summary of the proposed project, purpose, action to be taken, and benefits:**

Unperfected Provisional Permit 76D 30047716 was issued for multiple domestic (127 households) and commercial (nine hook-ups for club house/pro-shop, restaurant and seven commercial lots) use associated with the Indian Springs Ranch development. Fluctuating real-estate markets caused the development to be redesigned after permit 76D 30047716 was issued. The primary purpose of this change application is to change a portion of the volume originally assigned to multiple domestic use (127 homes at 0.28 AF each) to commercial use. The Applicant proposes to appropriate up to 11.50 AF for existing commercial purposes (restaurant, clubhouse/pro-shop, rental cabins and three undeveloped lots = 3.67 AF) and proposed commercial purposes (95-lot RV park which includes one bath house, laundry facility, pool and pool bath house = 7.83 AF). The Applicant proposes to appropriate 28.0 AF (100 homes at 0.28 AF each) for multiple domestic use. 90 lots are currently platted; ten single-family lots located north of the RV park are proposed to be added. With this proposed change, the Applicant will appropriate the full 39.5 AF that was originally authorized. The DNRC shall issue the change application if the Applicant proves the criteria in 85-2-311 MCA are met.

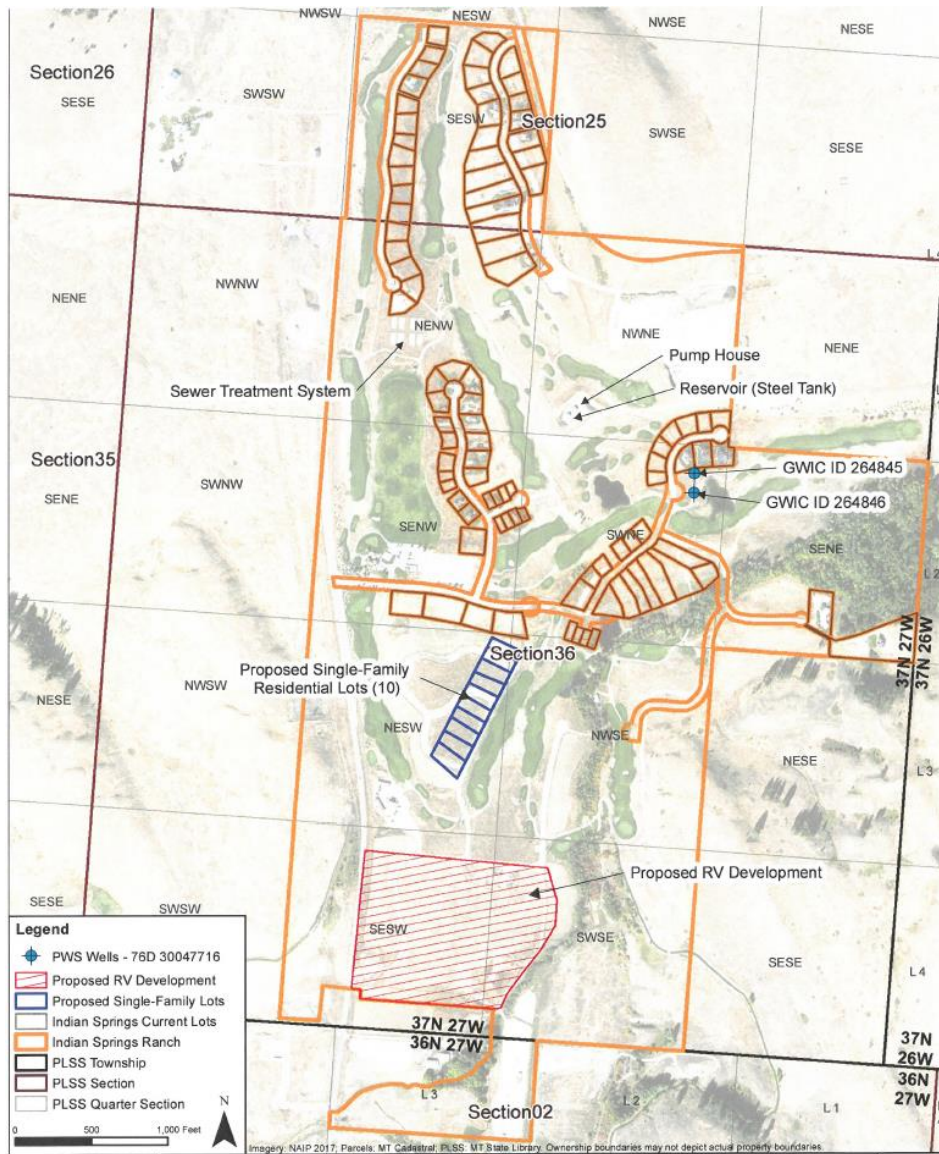


Figure 1: Map of wells and proposed place of use for commercial and multiple domestic purposes

6. **Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)**

- U.S. Fish and Wildlife Service and Montana Natural Heritage Program: Endangered, Threatened Species and Species of Special Concern, Wetland Mapper program
- Montana Department of Fish Wildlife & Parks (DFWP); Dewatered Stream Information
- Montana Department of Environmental Quality's (MDEQ) Clean Water Act Information and PWS Drinking Water Watch databases
- U.S. Natural Resource Conservation Service (NRCS); web soil survey
- Montana Historical Society

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

The Applicant will divert groundwater, no additional volume or flow is authorized with Change Application 76D 30149012. The proposed change will not create new depletions to nearby surface waters.

Determination: No impact.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

The Applicant will divert groundwater, no additional volume or flow is authorized with Change Application 76D 30149012. All wastewater generated within the development is collected and sent to one treatment facility within the development.

Determination: No impact.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

The Applicant will divert groundwater, no additional volume or flow is authorized with Change Application 76D 30149012. The proposed change will not create new depletions to nearby surface waters.

Determination: No impact.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The water system consists of two wells and pumps that deliver water to a 35,000-gallon storage tank. From the tank, water is distributed throughout the development. The two wells operate on an alternating lead-lag pumping schedule. Both wells are equipped with a Franklin Electric QuickPAK 25SDQP3.OHP pump and Subdrive 150 controller module, a 1.5-horsepower pump and a three-horsepower drive motor. Each well can produce 43 GPM. Water and sewer infrastructure will be extended from the existing system to the south to serve the proposed RV park and ten additional single-family home sites. A six-inch mainline will convey water into three-inch diameter water lines that will extend into the RV park and service each hook-up.

Each well was drilled by a licensed well driller. The water system is a permitted public water supply (No. MT0004611) under regulation of the MTDEQ. The system was designed by a licensed engineer and approved by the MTDEQ. The proposed project shall not impact any channels, barriers, riparian areas and dams.

Determination: No impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

The Montana Natural Heritage Program and DFWP websites were reviewed to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern", that could be impacted by the proposed project.

According to the Montana Natural Heritage Program in Township 37N, Range 27W there are three plant species of concern. Moonworts (*Botrychium*), Spalding's Catchfly (*Silene spaldingii*), Many-Headed Sedge (*Carex sychnocephala*). Agriculture or human development has occurred on or around this parcel of land for many years; any impacts to sensitive plant species has most likely already occurred.

The Bull Trout (*Salvelinus confluentus*) and Grizzly Bear (*Ursus arctos*) are listed as threatened by the USFS. The Westslope Cuthroat Trout (*Oncorhynchus clarkii lewisi*) is listed as sensitive by the USFS. The Hoary Bat (*Lasiurus cinereus*), Wolverine (*Gulo gulo*), Little Brown Myotis (*Myotis lucifugus*), Brown Creeper (*Certhia americana*), Evening Grosbeak (*Coccothraustes vespertinus*), Pileated Woodpecker (*Dryocopus pileatus*), Common Loon (*Gavia immer*), Cassin's Finch (*Haemorhous cassinii*), Varied Thrush (*Ixoreus naevius*), Clark's Nutcracker (*Nucifraga columbiana*) are rated as S3 or S3B by the state of Montana. Meaning their populations are potentially at risk because of limited and or declining numbers. Agriculture or human development has occurred on or around this parcel of land for many years; any impacts to sensitive mammal species most likely has already occurred. No impact.

Determination: No impact.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: N/A, project does not involve wetlands or critical riparian habitats

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: N/A, project does not involve ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

According to soil survey data provided by the NRCS, soil within the place of use consists mostly of Typic Calcixerolls and Typic Xerochrepts (alluvial terraces & glacial outwash terraces). The soil drainage class is well drained; the capacity of the most limiting layer of soil to transmit water is moderately high (0.57-1.98 in/hour). Soils within the place of use are not susceptible to saline seep. The stability of the soil profile and moisture content will not be significantly altered with the use of groundwater within the subdivision. No degradation of soil quality shall occur.

Determination: No impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

The development of this subdivision will remove/disturb existing vegetation. Noxious weeds could be established or spread during construction. Grass yards are planned for each residence; eliminating any populations of noxious weeds that may have been established during construction.

Determination: No impact.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Adverse air quality impacts from increased air pollutants are not expected as a result of this project. No air pollutants were identified as resulting from the applicants proposed use of groundwater.

Determination: No impact.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: N/A, project is not located on state or federal land.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

All impacts to land, water and energy have been identified and no further impacts are anticipated.

Determination: No impact.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

The project is located in an area with no locally adopted environmental plans.

Determination: No impact.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not inhibit, alter or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

Determination: No impact.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

There should be no significant negative impact on human health from this proposed use.

Determination: No impact.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No x If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? None identified.
- (b) Local and state tax base and tax revenues? None identified.
- (c) Existing land uses? None identified.
- (d) Quantity and distribution of employment? None identified.
- (e) Distribution and density of population and housing? None identified.

- (f) Demands for government services? None identified.
- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None identified.
- (i) Transportation? None identified.
- (j) Safety? None identified.
- (k) Other appropriate social and economic circumstances? None identified.

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts: None identified.

Cumulative Impacts: None identified.

3. Describe any mitigation/stipulation measures: None identified.

4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider: No reasonable alternatives were identified in the EA.

PART III. Conclusion

1. Preferred Alternative: None identified.

2. Comments and Responses: None.

3. Finding:

Yes___ No x___ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

An EA is the appropriate level of analysis for the proposed action because no significant impacts were identified.

Name of person(s) responsible for preparation of EA:

Name: Melissa Brickl

Title: Hydrologist/Water Resource Specialist

Date: December 21, 2020